

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARCUS LANCE TYLER,

Plaintiff,

v.

JOHN DOE CORRECTIONAL
OFFICERS, et al.,

Defendants.

CASE NO. C05-1189 RSM

ORDER

The Court, having reviewed the Plaintiff's Complaint, the Report and Recommendation of the Honorable Monica J. Benton, United States Magistrate Judge, and the remaining record, finds and Orders as follows:

- (1) The Court adopts the Report and Recommendation; Defendant's Motion for Summary Judgment is **GRANTED**;
- (2) The matter is **DISMISSED** without prejudice;
- (3) The Clerk is directed to send a copy of this Order to Plaintiff, counsel for defendants, and the Hon. Monica J. Benton.

DATED this 23rd day of June, 2006.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE